

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION

CONSTRUCTION DIVISION MEMORANDUM

GENERAL SUBJECT: DBE PARTICIPATION

NUMBER: CD-2000-5

REPORTING OF ADDITIONAL PARTICIPATION
PARTICIPATION CREDIT ON FEDERAL AID

SPECIFIC SUBJECT: AND STATE FUNDED CONTRACTS

DATE: JANUARY 18, 2000

Original w/Signature on file in Construction Division

C. F. GEE

CONSTRUCTION ENGINEER

DIRECTED TO - DISTRICT ADMINISTRATORS

A. Federal Aid Contracts

Current specifications require that all DBE involvement on Federal Aid contracts be appropriately documented and reported. The Contractor must report all participation required to meet an original commitment, necessary to replace an original commitment, and, necessary to meet contract requirements on a federally funded VDOT contract. For work performed by DBEs over and above the aforementioned commitment, it will be the Contractor's option whether or not to report such additional participation for credit. If the Contractor decides not to report such participation, it will be with the following understanding:

1. Credit will be allowed only for work performed toward the original commitment after the required documentation is received from the Contractor and the Department is able to properly monitor the DBE's work performance, including any compliance reviews or other verifying procedures deemed necessary. This policy is not dependent upon the Department questioning the Contractor's intentions regarding the reporting or status of such participation.
2. The above requirements apply to all credit of this nature, whether involving work performed by a DBE working for the prime Contractor, approved subcontractor, or such other contracting arrangement as may exist.

Under this policy, it is the Contractor's responsibility to properly document and report, in a timely manner, all work for which credit will be sought.

B. State Contracts

Current specifications require that all MBE/WBE involvement on a State funded contract be appropriately documented and reported. The Contractor must report all participation required to meet an original commitment, necessary to replace an original commitment, and, necessary to meet contract potential achievements on a VDOT contract. For work performed by MBE/WBEs over and above the aforementioned, it will be the Contractor's option whether to report such participation for credit. If the Contractor decides not to report such participation, it will be with the following understanding:

1. Credit will be allowed only for work performed after currently required documentation is received from the Contractor and the Department is able to properly monitor the MBE/WBE's work performance, including any compliance reviews or other verifying procedures deemed necessary. This policy is not dependent upon the Department questioning the Contractor's intentions regarding the reporting or status of such participation.
2. The above requirements apply to all credit of this nature, whether involving work performed by a MBE/WBE working for the prime Contractor, approved subcontractor, or such other contracting arrangement as may exist.

Under this policy, it is the Contractor's responsibility to properly document and report, in a timely manner, all work for which credit will be sought.